

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIE L. DAVIS,

Plaintiff,

v.

WARDEN J.E. THOMAS,

Defendant.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

3:13-CV-01711  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 31<sup>ST</sup> DAY OF July, 2015, upon *de novo* review of Magistrate Judge Carlson's Report and Recommendation, Plaintiff's Objections thereto, and all related filings, **IT IS HEREBY ORDERED THAT:**


1. Plaintiff's Objections (Doc. 52) are **OVERRULED**. The Motion that Magistrate Judge Carlson considered in his Report and Recommendation was and always had been a Motion for Summary Judgment. Magistrate Judge Carlson properly treated it as such.
2. The Report and Recommendation (Doc. 51) is **ADOPTED**, for the reasons stated therein.
3. Defendant's Motion for Summary Judgment (Doc. 46) is **GRANTED**.
4. The Clerk of Court is **DIRECTED** to close the case.

FILED  
SCRANTON

JUL 31 2015

PER

DEPUTY CLERK



Robert D. Mariani  
United States District Judge